Honolulu, Hawaii **February 28**, 2014

RE: H.B. No. 2034 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2034, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT,"

begs leave to report as follows:

The purpose of this measure is to provide survivors of sexual assault with additional time to engage with the legal system by eliminating the statute of limitations for criminal and civil actions arising from sexual assault in the first and second degrees and continuous sexual assault of a minor under the age of fourteen years.

The Hawaii State Commission on the Status of Women, Office of the Prosecuting Attorney for the County of Hawaii, Hawaii State Democratic Women's Caucus, YWCA of O'ahu, Sex Abuse Treatment Center, Survivors Network of those Abused by Priests, Rainbow Family 808, and numerous concerned citizens testified in support of this measure. The Office of the Public Defender opposed this measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by:

(1) Limiting the removal of the statute of limitations in civil cases to actions against persons who perpetrated the act that constituted or would have constituted the criminal offense of sexual assault in the first or

second degree or continuous sexual assault of a minor under the age of fourteen years; and

(2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2034, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2034, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

State of Hawaii House of Representatives The Twenty-seventh Legislature

450R 710.14

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: Committe HB 2034 HD HV	ee Referral:	Dat	0 7 14	
☐ The committee is reconsidering its previous decision			-1 ,1,	
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X			
2. HAR, Sharon E. (VC)	Ź			
3. BELATTI, Della Au	X			
4. BROWER, Tom				
5. CREAGAN, Richard				X
6. ITO, Ken7. KAWAKAMI, Derek S.K.				
8. LEE, Chris	V LINE OF			
9. NAKASHIMA, Mark M.				
10. TSUJI, Clift	Y.			
11. WOOLEY, Jessica	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\			
12. MCDERMOTT, Bob	×	A TEXT TO BE SEEN TO SEE SEEN TO SEE SEE SEE SEE SEE SEE SEE SEE SEE SE		Jan Come Service managements or community states
13. THIELEN, Cynthia	*			
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TOTAL (13)	11			2
The recommendation is: Adopted				
Vice Chair's or designee's signature:	Ul			
Distribution: Original (White) – Committee Di	uplicate (Yellow) –	Chief Clerk's Office	e Duplicate (P	ink) – HMSO